

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

Chapter 13

HILDA DIANE SINGLETARY,

Case No. 13-12849-MDC

Debtor.

PNC BANK, N.A.,

Movant,

V.

HILDA DIANE SINGLETARY,
ELIZABETH SINGLETARY,

-and-

WILLIAM C. MILLER,
Chapter 13 Trustee,

Respondents.

**CONSENT ORDER GRANTING MOTION BY PNC BANK, N.A., FOR RELIEF FROM
THE AUTOMATIC STAY AND THE CODEBTOR STAY TO ENFORCE ITS RIGHTS
AND REMEDIES AGAINST RESIDENTIAL REAL PROPERTY COMMONLY
KNOWN AS 3823 N. SMEDLEY STREET, PHILADELPHIA, PENNSYLVANIA 19140**

UPON CONSIDERATION of the Motion by PNC Bank, N.A. (“PNC”), for Relief from the Automatic Stay and the Codebtor Stay to Enforce Its Rights and Remedies Against Residential Real Property Commonly Known as 3823 N. Smedley Street, Philadelphia, Pennsylvania 19140 (the “Motion”) and the agreement and consent of PNC and Hilda Diane Singletary (the “Debtor”) by and through Irwin Trauss, who was appointed as the Debtor’s

guardian *ad litem* in this bankruptcy case pursuant to an Order entered by this Court on September 11, 2017, to the entry of this Order; the chapter 13 trustee and codebtor having filed no response or opposition to the Motion; it is, by the United States Bankruptcy Court for the Eastern District of Pennsylvania, hereby,

ORDERED, that the Motion is GRANTED; and it is further

ORDERED, that the automatic stay imposed by 11 U.S.C. § 362(a) is immediately terminated to permit PNC and its successors and assigns (the “Lender”), to exercise its rights and remedies against the collateral securing the Lender’s claim, including, without limitation, the right to pursue its in rem state court remedies, foreclose on the Property (as defined in the Motion), have the Property sold at a Sheriff’s sale, apply the proceeds (if any) from such sale to the amounts owed by the Debtor to the Lender, and have any purchaser of the Property at Sheriff’s sale (or purchaser’s assignee) take any legal action for enforcement of its right to possession of the Property; and it is further

ORDERED, that, to the extent the codebtor stay applies, the codebtor stay imposed by 11 U.S.C. § 1301(a) is immediately terminated to permit Lender to exercise its non-bankruptcy rights and remedies against non-debtor, Elizabeth Singletary, and to exercise its rights and remedies against the collateral securing the Lender’s claim, including, without limitation, the right to pursue its in rem state court remedies, foreclose on the Property (as defined in the Motion), have the Property sold at a Sheriff’s sale, apply the proceeds (if any) from such sale to the amounts owed by the Debtor to the Lender, and have any purchaser of the Property at Sheriff’s sale (or purchaser’s assignee) take any legal action for enforcement of its right to possession of the Property; and it is further

ORDERED, that the fourteen day stay of this Order be and hereby is waived.

CONSENTED TO BY:

/s/ Irwin Trauss

Irwin Trauss, Esquire
Philadelphia Legal Assistance
718 Arch Street, Suite 300N
Philadelphia, PA 19106
Tel: (215) 981-3811
Email: itrauss@philalegal.org

*Attorneys for Debtor and Guardian
ad litem for Debtor*

/s/ Matthew G. Summers

Matthew G. Summers, Esquire*
Ballard Spahr LLP
919 N. Market Street, 11th Floor
Wilmington, DE 19801
Tel: (302) 252-4428
Email: summersm@ballardspahr.com

Attorneys for PNC Bank, N.A.

SO ORDERED:

Dated: _____, 2017

Magdeline D. Coleman
United States Bankruptcy Judge

cc:

Matthew G. Summers, Esquire
Ballard Spahr LLP
919 N. Market Street, 11th Floor
Wilmington, DE 19801-3034

Irwin Lee Trauss, Esquire
Philadelphia Legal Assistance
718 Arch Street, Suite 300 N
Philadelphia, PA 19106

William C. Miller, Esquire
111 South Independence Mall, Suite 583
Philadelphia, PA 19106

Office of the U.S. Trustee
833 Chestnut Street, Suite 500
Philadelphia, PA 19107